Nos. 78-432, 78-435, and 78-436

Supreme Court, U. S.
FILED
FEB 26 1979
MICHAEL RODAK, JR., CLERK

IN THE

# Supreme Court of the United States

OCTOBER TERM, 1978

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UNITED STEELWORKERS OF AMERICA, AFL-CIO-CLC,
*Petitioner*

v.

BRIAN F. WEBER, ET AL.
*Respondent*

---

KAISER ALUMINUM & CHEMICAL CORPORATION,
*Petitioner*

v.

BRIAN F. WEBER, ET AL.
*Respondent*

---

UNITED STATES OF AMERICA and EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
*Petitioners*

v.

BRIAN F. WEBER, ET AL.
*Respondent*

---

**On Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit**

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## BRIEF OF THE POLISH AMERICAN CONGRESS AND THE NATIONAL ADVOCATES SOCIETY AS AMICI CURIAE

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February 24, 1979

PRESS OF BYRON S. ADAMS PRINTING, INC., WASHINGTON, D. C.

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# Supreme Court of the United States

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## BRIEF OF THE POLISH AMERICAN CONGRESS AND THE NATIONAL ADVOCATES SOCIETY AS AMICI CURIAE

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This brief amici curiae is filed with the consent of the parties, as provided for in Rule 42 of the Rules of this Court.

### INTEREST OF THE AMICI

The amici are two national organizations composed of Americans of Polish heritage. The Polish American Congress was founded to protect the civil rights of

Americans of Polish heritage and to promote their welfare. The National Advocates Society, composed of American lawyers of Polish heritage, believe it is their responsibility to participate in these proceedings both as attorneys interested in the promotion of civil rights for all Americans and as advocates for the Polish American Community.

Both organizations filed a joint brief amici to this Court in the Bakke case.[1] As we stated there, the heritage of Polish Americans and their own history in America are inextricably involved in the fight against discrimination, with the result that we believe we have a vital interest in the issues presented by this case and feel that this Court should have the benefit of our concerns so that this Court's final decision may reflect a full range of views and not the narrow perspective outlined in the material submitted to this Court on the application for certiorari here.

Much has been written on the subject matter involved herein and this Court is also considering another case at this term involving veterans' preferences which also has a bearing on what is being argued here. Indeed, the complexities of the issues here and the contradictions of the various efforts to resolve such complexities has resulted in the institution of the so-called "Sears" case in the U.S. District Court in Washington, D.C. It is not the purpose of this brief to recite authority and comments previously made except where absolutely necessary, particularly since much of this material is well known to this Court, and has already been reviewed by the courts below as well as the parties themselves in their briefs. It is the purpose of

[1] *Regents of the University of California* v. *Bakke*, —— U.S. ——, 98 S. Ct. 2733 (1978).



this brief to give new perspective in what should be America's continuing effort to give equality to its subjects consistent with the Constitution and law and especially without regard to race, color, creed, sex, and national origin. To put it another way and perhaps more directly, the fight against prohibited discrimination includes more than consideration of race and sex and should not be conducted through the creation by self-serving authority figures of new target groups to bear the impact and disadvantages resulting from preferred treatment given to those who may from time to time be favored. Further, if the fight against prohibited discrimination is to be conducted in a certain fashion with certain practices, then the Constitution and the law, as well as fundamental fairness, require that the same considerations be extended to all persons and groups discriminated against and affected and not just some.

## ARGUMENT

As we pointed out in our brief in the *Bakke* case, for reasons not entirely clear to us, efforts to fight prohibited discrimination have focused primarily, if not exclusively, on race and sex, even though Congress, when it enacted the series of laws dealing with discrimination, and various Presidents when they issued executive orders, concerned themselves with five areas of discrimination, race, color, creed, sex, and national origin, without giving any one area a higher priority over any other area.[2] This preoccupation has resulted in a number of developments, the substance of which has caused (a) new patterns of discrimination, (b) reduced progress in overcoming the effects of racial and sexual discrimination, (c) abandonment at least to

[2] E.g., Title VII, 42 U.S.C. 2000(e), Executive Order No. 11246.

some degree of such traditional American values as hard work, competition by merit, and freedom of choice, (d) a sense of duplicity and confusion regarding government policies and practices, and (e) disillusionment by many, if not most, Americans in the practical meaning and impact of Constitutional guarantees of equal protection in this area of activity.

In making this observation, we do not wish to take away from the positive results achieved to date; instead, we want to point out how much more could, should, and will be accomplished if appropriate direction is given by this Court as to what is Constitutionally permissible, as well as whether specific private and governmental initiatives, policies, and practices measure up to what Congress legislated and Presidents directed, instead of permitting the bureaucracy to reflect what may from time to time be politically fashionable or what certain authority figures feel is their personal sense of justice.

For the sake of brevity, let us now relate these observations to the case at hand.

Perhaps the best place to start is with an examination of a passage contained in the dissent of Judge Wisdom of the immediate court below. After concluding that employers may compensate employees for societal discrimination without giving any specifics on what he means by this (a proposition which is directly in issue here), he then amazingly and without any justification therefor asserts that: "If Americans of Irish, Italian, Jewish or German extraction were allowed employment preferences as compensation for undoubted past societal discrimination, Title VII would be eviscerated."[3]

[3] 563 F.2d 216, at page 235.



In short, in his mind, Title VII, Executive Order 11246, and the equal protection clause are available only for the benefit of certain favored groups. What perhaps is most amazing and disheartening about this conclusion is that it was reached without any evidence of the impact of conceded societal discrimination on these "disfavored" groups or care about the potential disparate impact the present private remedy at issue here would have on such "disfavored" groups. Such action and thinking attacks and destroys any feeling of sacrifice for and belief in the "common good."

But Judge Wisdom is not the only practitioner of this narrow mind set. The Civil Rights Commission is another excellent example.[4] Most government agencies collect data in this area in only five categories, Black, Hispanic, Native American, Asian American, and white other than Hispanic, for both males and females. There is no empirical or practical justification therefor and the Office of Management and Budget[5] has specifically authorized that data can be collected in more categories though its emphasis on the five previously enumerated categories creates serious questions about the legality and constitutionality of collecting data in such a limited fashion. For example, the Census Bureau, Immigration and Naturalization Service, Visa office, and the present President himself[6] collect data in many more and different categories. It is submitted that in the absence of sufficient justification thereof,

[4] Hearings before the Subcommittee on the Constitution of the Committee on the Judiciary, United States Senate, 95th Congress, *Civil Rights Commission Authorization Act of 1978*, pp. 199-208, 533, 620.

[5] See Appendix this brief, pp. 1a-6a, Esp. 4a "Civil Rights Compliance Reporting."

[6] See Appendix this brief, pp. 7a-14a, Esp. 10a.

this governmental practice is discriminatory in and of itself, and is one of the primary reasons why the agreement at issue here is invalid. Attention is called to the fact that the instant agreement provides that the groups to be favored under the agreement are the minorities as defined by EEOC. While the record is not clear why this was done, the implication is strong that it was done more in response to government pressure than the natural result of a comprehensive survey of the relevant work force indicating what groups were truly "underutilized" or "underrepresented."

One member of this Court, Justice Blackmun, in the *Bakke* case, stated that he yields to no one in his earnest hope that the time will come when an "affirmative action" program is unnecessary and is in truth only a relic of the past. We suggest that that time will never come if we continue to treat some of our citizens, albeit different ones, as second class citizens even though they never discriminated against anyone and, in many instances, fought for the equal rights of those now being given preference for racial and sexual reasons. We also suggest that that time will never come if we fail to define what we mean by "societal" discrimination and continue on the road of substituting equality of result for equal opportunity.

It has been estimated that there are more than 8 million people illegally in the United States and various proposals have been made to legitimize their status. The United States, in keeping with its unique and special tradition as an immigrant country, has welcomed thousands of refugees over the past years. Our immigration laws are designed so that those who have established legal status can, in turn, bring in their family members. The resulting immigration flow is such that the majority of such flow represents people who are



part of the groups that are being favored by present government policies and practices, as well as the agreement here. Are all of these persons to be considered victims of "societal" discrimination? And what should be the impact of such flow on the numbers game that the government and the courts presently use to gauge rights and remedies? It has been suggested that "affirmative action" through preferences is justified until such time as the percentage a favored group bears to the total population is equivalent to the percentage a favored group bears to the total work force of the employer. Aside from other objections, we believe that this is nothing more than a quota and does not allow for situations like that in pro basketball where blacks as a group dominate because of their natural ability and their cultural inclination for that sport. Such a concept also fails to allow for the situation found presently in the Equal Employment Opportunity Commission where more than 50 percent of the work force consists of blacks.

We raise these questions and issues not to be difficult or resentful for we believe that the groups now being favored deserve attention to their plight. We raise these questions and issues to point out there are others who have similar problems and also deserve attention and similar effort. We raise these questions and issues to point out that it is quite different to give a person a partial advantage for service to his or her country as distinguished from giving a person a total advantage because of his race and sex.

In the former instances, those disfavored still have a chance to compete; in the latter, those disfavored are excluded and then solely because of race and sex. It is the latter factor that makes the present plan illegal, for it restricts a person's ability to gain "admission to" a

training program solely because of his race and sex in violation of Title VII.

While we agree with the United States Steelworkers of America that employers should and do have a great deal of flexibility in choosing its work force, we disagree with its contention that employers can privately contract to create quota schemes to correct what they perceive to be "societal" injustice given the present circumstances. The present scheme is essentially nothing more than the two track system this Court declared invalid in *Bakke*. Perhaps there is an area of discretion where employers and unions can reach voluntary agreements to correct discrimination, but such agreements can be constitutionally justified only if there is a comprehensive data and analytical base indicating such discrimination and the impact of the proposed remedy has on everyone affected by it. In addition, allowance must be made for each group that makes up the mosaic called America and this Court should give notice to everyone that it will no longer tolerate the practice of lumping all non-favored groups into a category labeled "none of the above," "other," or "white other than Hispanic." Such practice is particularly invidious for it presupposes that every subgroup in that category has the same opportunity for success, a premise that patently is absurd.

We agree with the majority opinion of the court below that Title VII prohibits any agreement that is race, sex, color, religious, or ethnic conscious; however, we go further and state that if this Court does permit race to be taken into account in any agreement of the type considered here, it must also require that such agreement take into account sex, color, religion, and ethnicity or give a good reason why it excludes any



such factor and the groups affected thereby. The present agreement fails to do so.

In reviewing in a broad perspective what is occuring presently in this area, an objective observer would wonder a) why no comprehensive survey of all of the groups constituting the mosaic called America has ever been conducted to justify the present practice of favoring certain groups, b) why Hispanics, over 90% white according to the Census Bureau, are favored, while other sub groups of the white race are not even examined but summarily dismissed from consideration, c) why no allowance has been made in the categories presently established in practice that the condition of Mexican origin people may differ from Puerto Rican or Japanese from Vietnamese etc. d) why considerations of prohibited discrimination usually end up being discussed in an exclusively black and white, or male-female context, causing new stereo types to be formed and a distortion of all of the relevant considerations if we are truly committed to end and correct all, not just some, forms of prohibited discrimination e) why aside from the general non-controversial goal of eliminating prohibited discrimination and the effects therefore, there is an absence of specific definable objectives of what we wish to achieve by affirmative action programs f) by what legitimate authority and criteria does the bureaucracy, Congress, the President and the courts determine that it is permissable to favor one group over another even where, unlike here, an adequate data and analytical base has been established.

Perhaps it were these considerations that has resulted in Congress in failing to specifically approve the present bureaucratic policies and practice dealing with affirmative action and instead (contra to what the United Steel Workers state in their brief) simply declare that no one or agency, private or public, directly

or under the guise of an affirmative action plan, can deny anyone an opportunity to compete because of his race, color, creed, sex or national origin. Perhaps this is why some observers had concluded that affirmative action in the sense that it puts pressure on employers to give preferences should be restricted to only those situations where actual discrimination is proven and definite individuals can be provided specific relief.

Finally, we feel the preoccupation and resulting narrow focus have limited the usual American ingenuity that results in creative solutions to complex and intractable problems. The thought occurs to us that the government and private industry ought to explore the utility of using in this area the present practice of giving veterans a certain point advantage. While we cannot say at this time whether such a system is constitutionally and legally permissable, it does have many advantages. First, it does address the problem of past and present discrimination. Second, it can be limited through the use of appropriate criteria to those who actually have suffered discrimination here in the United States. Third, it can be extended easily to other disadvantaged and discriminated groups and individuals beyond those presently favored. Fourth, it should reduce the reliance on quotas, timetables, and goals. Fifth, it would not preclude anyone from competing. Sixth, it would tend to emphasize individual effort and initiative over group rights. Seventh, it would be consistent with the philosophy exposed by this Court in the *Bakke* case where this Court appeared to rule that race and ethnicity (and presumably sex, color, and religion) can have some weight but not be the dominant factor in assigning educational opportunities.

We feel more should be done to explore all of the ramifications of this initiative and feel that this Court could help point the way.



## CONCLUSION

As America begins its third century of existence, we believe that this Court should enunciate constitutional principles of equality that transcend moods of political fashionability, emotion, and collective "guilt." We are disappointed that the drive for equality and opportunity for everyone that began with the Civil Rights movement of the 1950s and 1960s is turning into a battle for preference and privilege where groups and the individual who are perceived to be politically weaker are disregarded. We believe America can do a better job in securing the benefits of equal opportunity for everyone so that we do not ever have to ask whether any group received too much too soon but instead be secure in the belief that each group and individual had a full and fair opportunity to compete, and that the status of any such group and individual in any field of endeavor, (regardless of their numbers) is the result of honest competition and not discrimination, either for or against them.

The judgment of the Court of Appeals should be affirmed with such direction as this Court feels necessary to guide future efforts in this area.

Respectfully submitted,

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# APPENDIX

**APPENDIX A**

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 12, 1977

CIRCULAR No. A-46
Revised
Transmittal Memorandum No. 6

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Revision of Circular No. A-46, Exhibit F, "Race and Ethnic Standards for Federal Statistics and Administrative Reporting"

Attached is Exhibit F, Revised, which replaces the earlier version entitled *"Race and Color Designations in Federal Statistics."* This revision will meet the needs which have been expressed by the Congress and the executive branch for standardization of racial and ethnic data which is collected and published by Federal agencies.

/s/ BERT LANCE
Bert Lance
Director

Attachment

EXHIBIT F
Circular No. A-46
Revised May 12, 1977

## RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING

*Purpose:* This Exhibit provides standard classifications for recordkeeping, collection, and presentation of data on race and ethnicity in Federal program administrative reporting and statistical activities. These classifications should not be interpreted as being scientific or anthropological in nature, nor should they be viewed as determinants of eligibility for participation in any Federal program. They have been developed in response to needs expressed by both the executive branch and the Congress to provide for the collection and use of compatible, nonduplicated, exchangeable racial and ethnic data by Federal agencies.

*Definitions:* The basic racial and ethnic categories for Federal statistics and program administrative reporting are defined as follows:

1. *American Indian or Alaskan Native.* A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition. Code - 03; 05; 06.

2. *Asian or Pacific Islander.* A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa. Code - 04.

3. *Black.* A person having origins in any of the Black racial groups of Africa. Code - 01.

4. *Hispanic.* A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race. Code - 02.



5. *White.* A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. Code 07.

*Utilization for Recordkeeping and Reporting:* To provide flexibility, it is preferable to collect data on race and ethnicity separately. If separate race and ethnic categories are used, the minimum designations are:

a. Race:

— American Indian or Alaskan Native

— Asian or Pacific Islander

— Black

— White

b. Ethnicity:

— Hispanic origin

— Not of Hispanic origin

When race and ethnicity are collected separately, the number of white and Black persons who are Hispanic must be identifiable, and capable of being reported in that category.

If a combined format is used to collect racial and ethnic data, the minimum acceptable categories are:

American Indian or Alaskan Native

Asian or Pacific Islander

Black, not of Hispanic origin

Hispanic

White, not of Hispanic origin

The category which most closely reflects the individual's recognition in his community should be used for purposes

of reporting on persons who are of mixed racial and/or ethnic origins.

In no case should the provisions of this Exhibit be construed to limit the collection of data to the categories described above. However, any reporting required which uses more detail shall be organized in such a way that the additional categories can be aggregated into these basic racial/ethnic categories.

The minimum standard collection categories shall be utilized for reporting as follows:

*Civil rights compliance reporting:* The categories specified above will be used by all agencies in either the separate or combined format for civil rights compliance reporting and equal employment reporting for both the public and private sectors and for all levels of government. Any variation requiring less detailed data or data which cannot be aggregated into the basic categories will have to be specifically approved by the Statistical Policy Division of OMB for executive agencies. More detailed reporting which can be aggregated to the basic categories may be used at the agencies' discretion.

*General program administrative and grant reporting:* Whenever an agency subject to this Circular issues new or revised administrative reporting or recordkeeping requirements which include racial or ethnic data, the agency will use the race/ethnic categories described above. A variance can be specifically requested from the Statistical Policy Division of OMB, but such a variance will be granted only if the agency can demonstrate that it is not reasonable for the primary reporter to determine the racial or ethnic background in terms of the specified categories, and that such determination is not critical to the administration of the program in question, or if the specific program is directed to only one or a limited number of race/ethnic groups, e.g., Indian tribal activities.



*Statistical reporting:* The categories described in this Exhibit will be used as a minimum for federally sponsored statistical data collection where race and/or ethnicity is required, except when: the collection involves a sample of such size that the data on the smaller categories would be unreliable, or when the collection effort focuses on a specific racial or ethnic group. A repetitive survey shall be deemed to have an adequate sample size if the racial and ethnic data can be reliably aggregated on a biennial basis. Any other variation will have to be specifically authorized by OMB through the reports clearance process (see OMB Circular A-40). In those cases where the data collection is not subject to the reports clearance process, a direct request for a variance should be made to the Statistical Policy Division of OMB.

*Effective date:* The provisions of this Exhibit will be effective immediately for all *new* and *revised* recordkeeping or reporting requirements containing racial and/or ethnic information. All *existing* recordkeeping or reporting requirements shall be made consistent with this Exhibit at the time they are submitted for extension, or not later than January 1, 1980.

*Presentation of Race/Ethnic Data:*

1. Displays of racial and ethnic compliance and statistical data will use the category designations listed above. The designation "nonwhite" is not acceptable for use in the presentation of Federal Government data. It is not to be used in any publication of compliance or statistical data or in the text of any compliance or statistical report.

2. In cases where the above designations are considered inappropriate for presentation of statistical data on particular programs or for particular regional areas, the sponsoring agency may use:

a. The designations "Black and Other Races" or "All Other Races," as collective descriptions of minority races when the most summary distinction between the majority and minority races is appropriate;

b. The designation "White," "Black," and "All Other Races" when the distinction among the majority race, the principal minority race and other races is appropriate; or

c. The designation of a particular minority race or races, and the inclusion of "White" with "All Other Races," if such a collective description is appropriate.

3. In displaying detailed information which represents a combination of race and ethnicity, the description of the data being displayed must clearly indicate that both bases of classification are being use.

4. When the primary focus of a statistical report is on two or more specific identifiable groups in the population, one or more of which is racial or ethnic, it is acceptable to display data for each of the particular groups separately and to describe data relating to the remainder of the population by an appropriate collective description.



**APPENDIX B**

THE WHITE HOUSE
WASHINGTON

July 27, 1977

Jim King

MEMORANDUM FOR THE HEADS OF
DEPARTMENTS AND AGENCIES

FROM: PRESIDENTIAL PERSONNEL OFFICE

SUBJECT: Non-Career Personnel Job File

I. *Introduction*

At the President's direction, this office has established a program to monitor progress in non-career hiring in Executive departments.

Our goal is to provide the President with timely reports on the progress of hiring for non-career positions. The Presidential Personnel Office has developed an automated data file for non-career positions. The task of the departments and agencies will be to furnish use with information concerning non-career positions and certain biographical information concerning incumbents occupying these positions.

II. *Reporting Job and Incumbent Information*

A. *Positions Included:*

The following excepted positions should be included in each report: Non-Career Executive Assignment (NEA's), and Schedule C positions. Information should be reported for *all* authorized positions, *whether encumbered or vacant.*

B. *Reporting Timetable:*

An initial report should be submitted to the Presidential Personnel Office (Attn: Job File) by the close of business, Wednesday, August 3, 1977.

This report should include information on all current positions and incumbents. Therefore, a report should be completed every month and forwarded to this office by the 10th of the following month. The monthly report should include all changes since the previous report:

— New positions created or eliminated

— Vacancies filled

— New vacancies

SUBJECT: Non-Career Personnel Job File

C. *Reporting Format:*

Attached is a report form which should be used to report position and incumbent information. One copy of the form should be completed for each position reported, both vacant and encumbered. The top half of the form is for reporting information concerning the position; the bottom half is for reporting biographical information concerning incumbents.

1. *Job Information*

a. *City.* The city in which the job is located.

b. *State.* Two letter Postal Service state abbreviation. If not in US, use ZZ. See Attachment.

c. *Region.* Coded federal region of jurisdiction. Leave blank if not a regional job. *e.g.,*

| | |
|---|---|
| FD01 | Federal Region I |
| FD02 | Federal Region II |
| *etc.* | |



d. *Country.* As indicated. Blank if USA.

e. *Position.* Complete title for the position.

f. *Type.* Type of appointment: NEA, C

g. *Grade.* Salary grade of position according to the following schedule:

| | |
|---|---|
| WOC | Without Compensation |
| NE | Grade Not Estalished |
| LVL# | Executive Level |
| GS## | General Schedule |
| GG## | Administrative Grades |
| WG##, WB## WS## | Blue Collar Wage Grades |
| FO## | Foreign Service Officer |
| FR## | Foreign Service Reserve Officer |

SUBJECT: Non-Career Personnel Job File

h. *Salary.* Yearly, daily, or hourly salary.

i. *Pay basis.* Complete according to the following schedule:

| | |
|---|---|
| I | Intermittent, When Actually Employed |
| PD | Per Diem |
| PH | Per Hour |
| GB | During Good Behavior |
| NT | Not to exceed |

2. *Incumbent Information*

Complete this part of the form for each position for which there is an incumbent. Leave blank if the position is vacant.

a. *Name.* First and last.

b. *Date of appointment.* Date incumbent assumed office. Use six digit form—year, month, day e.g., June 30, 1977 = 770630.

c. *Date of initial appointment.* If the incumbent has been reappointed only, show the date of first appointment.

d. *Date vacated.* Date office vacated. Leave Blank if position encumbered.

e. *Race.* According to the following schedule:

| | |
|---|---|
| A | Asian |
| B | Black |
| H | Hispanic |
| NA | Native American |
| W | White |
| O | Other |

f. *Ethnic.* Background according to the following schedule:

SUBJECT: Non-Career Personnel Job File

| | |
|---|---|
| 10 | Caucasian |
| 15 | German/Austrian |
| 20 | Scandinavian |
| 25 | Irish |
| 30 | Italian |
| 35 | Polish |
| 40 | French |
| 45 | Russian |
| 50 | Other East European |
| 55 | Middle Eastern |
| 60 | Spanish Speaking |
| 65 | Black |
| 70 | American Indian |
| 80 | Asian/Oriental |
| 85 | Other |



g. *Sex.* M or F.

h. *YOB. Year of birth.* Indicate last two digits of year of birth, e.g., 1931 = 31.

i. *Domicile.* State of voting residence. Use two letter abbreviaion.

j. *Veteran.* Indicate status according to the following numerical codes. Otherwise, leave blank.

| | |
|---|---|
| 1 | Veteran |
| 2 | Disabled Veteran |
| 3 | Viet Nam Veteran |
| 4 | Disabled Viet Nam Veteran |

k. *Handicapped.* Indicate "Y" if handicapped, otherwise leave blank.

l. *Status.* Indicate career status of incumbent according to the following schedule:

| | |
|---|---|
| S | Status in position |
| VP | Veteran's Preference |
| VP-S | Veteran's Preference with Status in position |
| CA | Career Ambassador |
| CM | Career Minister |
| C | Career |
| NC | Non career |
| M | Military incumbent |

SUBJECT: Non-Career Personnel Job File

| | |
|---|---|
| FSO | Foreign Service Officer |
| FSIO | Foreign Service Information Officer |
| FSRO | Foreign Service Reserve Officer |
| FSRU | Foreign Service Reserve Unlimited Officer |
| FSSS | Foreign Service Staff Officer |

m. *Mailing address.* Street, City, State (two letter abbreviation) and zip code.

n. *RPhone.* Residence telephone, including area code.

o. *BPhone.* Business telephone.

p. *Background.* One letter code according to the following table:

| | |
|---|---|
| A | Civil Service |
| B | Foreign Service Officer |
| C | Federal Legislative |
| D | Career Military |
| G | Business |
| H | Journalism |
| I | Foundations |
| J | Religion |
| N | Legal |
| P | Education/University-Teacher |
| R | State and Local Government |
| T | Labor |

**Attachment**



PRESIDENTIAL PERSONNEL JOB FILE

City _____ State _____ Region _____ Country _____

Position Type _____

_____

Grade _____ Salary _____ Pay Basis ___

Name (First) _____ (Last) _____

Date Appointed _____ Date Initial Appt __ _____

Date Vacated _____ Race _____ Ethnic____

Sex _____ YOB _____ Domicile _____ Vet _____ Handicapped _____ Status _____

Street _____

City _____ State _____ Zip _____

RPHONE ___ ___ _____ BPHONE ___ ___ _____ Background _____

Remember to fill top half of form if job is vacant.

## STATE

Print two letter abbreviation for State of residence as follows:

| | | | |
|---|---|---|---|
| Alabama | AL | Montana | MT |
| Alaska | AK | Nebraska | NE |
| Arizona | AZ | Nevada | NV |
| Arkansas | AR | New Hampshire | NH |
| California | CA | New Jersey | NJ |
| Canal Zone | CZ | New Mexico | NM |
| Colorado | CO | New York | NY |
| Connecticut | CT | North Carolina | NC |
| Delaware | DE | North Dakota | ND |
| District of Columbia | DC | Ohio | OH |
| Florida | FL | Oklahoma | OK |
| Georgia | GA | Oregon | OR |
| Guam | GU | Pennsylvania | PA |
| Hawaii | HI | Puerto Rico | PR |
| Idaho | ID | Rhode Island | RI |
| Illinois | IL | South Carolina | SC |
| Indiana | IN | South Dakota | SK |
| Iowa | IA | Tennessee | TN |
| Kansas | KS | Texas | TX |
| Kentucky | KY | Utah | UT |
| Louisiana | LA | Vermont | VT |
| Maine | ME | Virginia | VA |
| Maryland | MD | Virgin Islands | VI |
| Massachusetts | MA | Washington | WA |
| Michigan | MI | West Virginia | WV |
| Minnesota | MN | Wisconsin | WI |
| Mississippi | MS | Wyoming | WY |
| Missouri | MO | | |

NOTE: If Foreign address is given, complete two blocks with the Code ZZ.